

ATTACHMENT A

STIPULATION OF FACTS

The undersigned parties stipulate and agree that if this case had proceeded to trial, this Office would have proven the following facts beyond a reasonable doubt. The undersigned parties also stipulate and agree that the following facts do not encompass all of the evidence that would have been presented had this matter proceeded to trial.

The Defendant, **GEORGE SAMBUCA**, was originally a resident of Pennsylvania. In or about 2016, **SAMBUCA** moved to and resided in Nevada. Between in or about September 2016 through in or about June 2017, **SAMBUCA** distributed anabolic steroids and other body-enhancing injectable drugs to individual consumers seeking to enhance their physiques. These anabolic steroids and drugs were misbranded and thus violated the law pursuant to Title 21, United States Code, Sections 331(a), 352(a), (b), (c), and (f), and 333(a)(1).

Specifically, the products that **SAMBUCA** distributed were "drugs" pursuant to the Food, Drug, and Cosmetic Act ("FDCA"), 21 U.S.C. § 321(g), because they were intended to affect the structure and function of the body. The anabolic steroids and drugs that **SAMBUCA** introduced into interstate commerce were misbranded within the meaning of the FDCA because their labeling bore false and misleading labeling and lacked adequate directions for use and adequate warnings. The drugs were also misbranded because their labels lacked the name of the manufacturer, packer, or distributor and other required information (such as expiration dates). As such, **SAMBUCA** knowingly distributed anabolic steroids and introduced misbranded drugs into interstate commerce.

SAMBUCA distributed anabolic steroids and other misbranded drugs for a company known as Dynasty Labs. Dynasty Labs sought buyers for these products by placing advertisements on bodybuilding websites and online forums, and by sending blast email advertisements to his customers. The anabolic steroids that **SAMBUCA** distributed included, but were not limited to, Testosterone, Nandrolone, Stanozolol, Oxandrolone, and Oxymetholone, all Schedule III controlled substances. **SAMBUCA** knew that Dynasty Labs used mass marketing to reach potential customers.

In September 2016, a law enforcement officer acting in an undercover capacity received an unsolicited email from Dynasty Labs in his "inbox" on www.musclechemistry.com, which is known for promoting unapproved and misbranded underground drug lab sales. The message from Dynasty Labs promoted a "7 day super sale." In response, on September 12, 2016, the undercover officer contacted Dynasty Labs via undercover email at DynastyLabs@protonmail.com. That same day, the undercover officer received a reply email promoting, among others, Viagra, Cialis, Trestalone, Dihydroboldenone. A subsequent email from Dynasty Labs requested that the undercover officer use email provider www.ProtonMail.com instead of www.gmail.com for "Security." The undercover officer thereafter registered an undercover email address at ProtonMail.com.

On November 1, 2016, the undercover officer sent an email to Dynasty Labs ordering anabolic steroids and other misbranded drugs. Dynasty Labs replied with the following payment instructions:

Thank you for your order, payment will be cash in mail, instructions are very simple but please follow them exactly

Get the cash, place it inside a standard size mailing envelope, place that envelope inside a small magazine or newspaper and tape the edges of the magazine shut, now place that inside a larger cardboard hard backed priority mail flat rate ENVELOPE and reminder to please include THE SIGNATURE REQUIRED OPTION, ALSO USE YOUR REAL RETURN ADDRESS, REMEMBER SENDING CASH IN THE MAIL IS 100% LEGAL . . .

The undercover officer then made the requested payment. As a result, on or about November 14, 2016, SAMBUCA mailed a package containing, among other items, seven vials labeled "TEST SUSTANON 350MG" containing Testosterone, and seven vials labeled "DECA DURABOLIN 400MG" containing Nandrolone. The steroids were mailed from Nevada to Maryland. The steroids were misbranded within the meaning of the FDCA.

On May 15, 2017, the undercover officer emailed Dynasty Labs and ordered numerous anabolic steroids and other drugs. On May 20, 2017, Dynasty Labs replied with specific instructions that directed the undercover officer to send \$715.00 cash in a regular envelope put inside a magazine with edges taped then placed into a U.S. Postal Service Priority Envelope to "Steven Thompson" at an address in Henderson, Nevada. On May 22, 2017, the undercover officer sent the cash as directed.

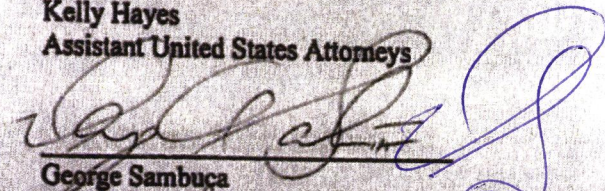
As a result, on or about June 16, 2017, SAMBUCA mailed a package containing, among other things, one ziplock bag of white powder labeled "DBOL 5g" containing Stanozolol, Oxandrolone, and Oxymetholone; one ziplock bag of white powder labeled "CLOMID" containing Stanozolol; and one vial labeled "SUSTANON 350MG/ML . . . 100cc" containing Testosterone. The steroids were mailed from Nevada to Maryland. The steroids were misbranded within the meaning of the FDCA.

SO STIPULATED:



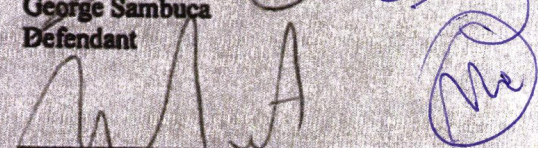
Handwritten signature of Gregory Bernstein in blue ink, with a large 'K' or 'KH' mark to the right.

**Gregory Bernstein
Kelly Hayes
Assistant United States Attorneys**



Handwritten signature of George Sambuca in blue ink, with a large 'S' or 'SS' mark to the right.

**George Sambuca
Defendant**



Handwritten signature of Marc Eisenstein in blue ink, with a large 'M' or 'ME' mark to the right.

**Marc Eisenstein, Esq.
Counsel for Defendant**